

2007 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB40)

Received: **06/22/2007**

Received By: **mkunkel**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Olin (FA)**

This file may be shown to any legislator: **NO**

Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Public Util. - telco**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Olin (FA) -

Topic:

Extending sunset of wireless 911 grant program

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	mkunkel 06/22/2007	lkunkel 06/22/2007	rschluet 06/22/2007	_____	cduerst 06/22/2007		

FE Sent For:

<END>

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/?	mkunkel	1/1 mk 6/22					
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FE Sent For:

<END>

Kunkel, Mark

From: Olin, Rick
Sent: Thursday, June 21, 2007 5:48 PM
To: Kunkel, Mark
Cc: Ammerman, Fred
Subject: Wireless 911 Provision for Senate Amendment

Mark:

For inclusion in the Senate Dem amendment, here are the instructions for extending the wireless 911 program. Please let me know if you have any questions.

Rick

Delete the provision recommended by the Governor and approved by the Joint Committee on Finance that would prohibit the Public Service Commission from encumbering or expending money for grants or supplemental grants to wireless providers and local governments or for the Commission's administrative costs related to those grants, after April 1, 2009. Delay the current law provisions for two years that establish sunset dates for wireless providers to impose monthly surcharges and for the Commission to make grants or supplemental grants to wireless providers and local governments or for the Commission's administrative costs related to those grants. Authorize wireless providers and local governments to apply to the Commission through June 30, 2008, with estimates and supporting documentation of costs eligible for reimbursement under current law provisions. This provision would delay the sunset of the surcharge and extend the grant program for two years.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0540/1

MDK:.....

lmk

LFB:.....Olin (FA) - Extending sunset of wireless 911 grant program
FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION
SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 40

lps: PIs / spelling

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 293, line 24: delete the material beginning with that line and ending
- 3 with page 294, line 4. ✓
- 4 **2.** Page 1259, line 17: after that line insert: ✓
- 5 "SECTION 2870mb. 146.70 (3m) (a) 5. of the statutes is renumbered 146.70 (3m)
- 6 (a) 3m. and amended to read: ✓
- 7 146.70 (3m) (a) 3m. ^{replizin} ~~Reimbursement~~ First reimbursement period means the
- 8 period beginning on September 3, 2003, and ending on the last day of the 3-year
- 9 period beginning on the first day of the 2nd month beginning after the effective date
- 10 of the rules promulgated under par. (f) 1. ✓

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320; 2005 a. 25.

✓

1 **SECTION 2870md.** 146.70 (3m) (a) 5m. of the statutes is created to read:

2 146.70 (3m) (a) 5m. "Second reimbursement period" means the period
3 beginning on the ^{first day after the} last day of the first reimbursement period and ending on November
4 30, 2010.

5 **SECTION 2870mf.** 146.70 (3m) (b) 1. of the statutes is amended to read:

6 146.70 (3m) (b) 1. Except as provided in subd. 2. and ~~par.~~ par. (cm) and (d) 1e.,
7 a wireless provider may not receive a grant under par. (d) unless, no later than the
8 first day of the 3rd month beginning after the effective date of the rules promulgated
9 under par. (d) 4., the wireless provider applies to the commission with an estimate,
10 and supporting documentation, of the costs that it has incurred, or will incur, during
11 the first reimbursement period to upgrade, purchase, lease, program, install, test,
12 operate, or maintain all data, hardware, and software necessary to comply with the
13 federal wireless orders in this state. The estimate may not include, and a wireless
14 provider may not seek reimbursement for, any such costs that the wireless provider
15 recovers or has recovered from customers in this state during or before the first
16 reimbursement period for the implementation of wireless 911 emergency service in
17 this state.

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320; 2005 a. 25.

18 **SECTION 2870mh.** 146.70 (3m) (c) 1. (intro.) of the statutes is amended to read:

19 146.70 (3m) (c) 1. (intro.) Except as provided in par. ^{par.} ~~(cm)~~ (cm) and (d) 1e., a local
20 government that operates a wireless public safety answering point, or local
21 governments that jointly operate a wireless public safety answering point, may not
22 receive a grant under par. (d) unless the requirements under subds. 3. to 5. are
23 satisfied and, no later than the first day of the 3rd month beginning after the effective
24 date of the rules promulgated under par. (d) 4., every county that itself is one of the

1 local governments or in which any of the local governments is located applies to the
2 commission with an estimate, and supporting documentation, of the costs specified
3 in subd. 1r. and the costs that the local government or local governments have
4 directly and primarily incurred, or will directly and primarily incur, during the first ✓
5 reimbursement period for leasing, purchasing, operating, or maintaining the
6 wireless public safety answering point, including costs for all of the following:

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320; 2005 a. 25.

7 **SECTION 2870mj.** 146.70 (3m) (cm) of the statutes is created to read:

8 146.70 (3m) ✓ (cm) *Second reimbursement period.* ✓ 1. No later than June 30,
9 2008: ✓

10 a. A wireless provider that has received grants under par. (d) ✓ for costs incurred
11 during the first reimbursement period may apply to the commission for grants under
12 par. (d) for reimbursement of costs incurred during the second ✓ reimbursement period
13 that are otherwise identified in par. (b) 1., except for costs that the wireless provider
14 recovers or has recovered from customers in this state during or before the first or
15 second ✓ reimbursement period for implementation of wireless 911 emergency service
16 in this state. ✓

17 b. A local government that has received grants under par. (d) ✓ for costs incurred
18 during the first reimbursement period may apply to the commission for grants under
19 par. (d) for reimbursement of costs directly and primarily incurred by the local
20 government during the second ✓ reimbursement period that are otherwise identified
21 in par. (c) 1., except for costs specified in par. (c) 1m., and for reimbursement of costs
22 directly and primarily incurred by the local government that are specified in par. (c)
23 1r. ✓

1 2. An application under subd. 1. shall include an estimate and supporting
2 documentation of the costs for which reimbursement is sought. If a local government
3 submitted a joint application under par. (c), the local government shall also submit
4 a joint application under subd. 1. that specifies the manner in which the estimated
5 costs are apportioned among the local government covered by the application.

6 **SECTION 2870mL.** 146.70 (3m) (d) 1. of the statutes is amended to read:

7 146.70 (3m) (d) 1. The commission shall approve an application under par. (b)
8 ~~or~~, (c), or (cm) if the commission determines that the costs estimated in the
9 application are reasonable and have been, or will be, incurred for the purpose of
10 promoting a cost-effective and efficient statewide system for responding to wireless
11 emergency 911 telephone calls and, for an application by a local government under
12 par. (c) or (cm), if the requirements under subd. 1g. are satisfied.

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320; 2005 a. 25.

13 **SECTION 2870mn.** 146.70 (3m) (d) 1e. (intro.) of the statutes is amended to read:

14 146.70 (3m) (d) 1e. (intro.) If a wireless provider or local government submits
15 an application after the deadline specified in par. (b) 1. ~~or~~, (c) 1. (intro.), or (cm) 1.
16 (intro.), the commission shall reduce the costs approved under subd. 1. by the
17 following amounts:

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320; 2005 a. 25.

18 **SECTION 2870mp.** 146.70 (3m) (d) 1g. of the statutes is amended to read:

19 146.70 (3m) (d) 1g. If an application under par. (c) or (cm) includes an estimate
20 of costs identified in par. (c) 1. d. incurred during the first or 2nd reimbursement
21 period or between January 1, 1999, and September 3, 2003, the commission may
22 approve the application only if the commission determines that the local
23 government's collection of land information, as defined in s. 16.967 (1) (b), and

1 development of a land information system, as defined in s. 16.967 (1) (c), that is
2 related to that purpose are consistent with the applicable county land records
3 modernization plans developed under s. 59.72 (3) (b), conform to the standards on
4 which such plans are based, and do not duplicate land information collection and
5 other efforts funded through the land information program under s. 16.967 (7). The
6 commission shall obtain the advice of the department of administration in making
7 determinations under this subdivision.

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320; 2005 a. 25.

8 **SECTION 2870mr.** 146.70 (3m) (d) 2. of the statutes is amended to read:

9 146.70 (3m) (d) 2. From the appropriation under s. 20.155 (3) (q), the
10 commission shall make grants to reimburse wireless providers and local
11 governments for costs approved under subd. 1. that are actually incurred by the
12 wireless providers and local governments, except that no wireless provider or local
13 government may receive a total amount in grants that exceeds the estimated amount
14 approved by the commission under subd. 1. for that wireless provider or local
15 government. For applications for the joint operation of a wireless public safety
16 answering point, the commission shall apportion the grants in the manner specified
17 under par. (c) 2. or (cm) 2. ✓

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320; 2005 a. 25.

18 **SECTION 2870mt.** 146.70 (3m) (d) 4. of the statutes is amended to read:

19 146.70 (3m) (d) 4. The commission shall promulgate rules establishing
20 requirements and procedures for making grants under this paragraph, including
21 criteria for approving estimated costs under subd. 1. The rules shall require the
22 commission to make the grants ~~during the 3-year period beginning on the first day~~
23 ~~of the 3rd month beginning after the effective date of the rules promulgated under~~

1 ~~par. (f) 1~~ until December 31, 2010. The rules shall include record-keeping
2 requirements to ensure that the grants are used to reimburse estimated costs
3 approved by the commission. The rules shall allow the commission to make the
4 grants in installments. The rules shall also include requirements for wireless
5 providers specified in par. (b) 2. to apply for grants. The rules shall specify the
6 conditions under which a wireless provider or local government may revise an
7 application approved under subd. 1.

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320; 2005 a. 25.

8 **SECTION 2870mv.** 146.70 (3m) (e) of the statutes is amended to read:

9 146.70 (3m) (e) *Supplemental grants.* The commission shall promulgate rules
10 for making supplemental grants from the appropriation under s. 20.155 (3) (q) to
11 counties that submit joint applications required under par. (c) 4. or (cm). The rules
12 shall establish the supplemental grants in amounts that provide an incentive for
13 counties to submit joint applications. The rules may not impose any limits on the use
14 of a supplemental grant and shall allow the commission to make the grants in
15 installments.

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320; 2005 a. 25.

16 **SECTION 2870mx.** 146.70 (3m) (f) 1. of the statutes is amended to read:

17 146.70 (3m) (f) 1. The commission shall promulgate rules requiring each
18 wireless provider to impose the same monthly surcharge for each telephone number
19 of a customer that has a billable address in this state, except that the rules shall
20 adjust the amount of the surcharge that is imposed on customers who prepay for
21 service to ensure that such customers pay an amount that is comparable to the
22 monthly amount paid by other customers. The rules shall require the surcharge to
23 be imposed ~~during the 3-year period beginning on the first day of the 2nd month~~

1 ~~beginning after the effective date of the rules~~ until November 30, 2010. The amount
2 of the surcharge shall be sufficient for the commission to administer and make the
3 grants under par. (d) and the supplemental grants under par. (e). The rules shall
4 require wireless providers to pay the surcharge to the commission for deposit in the
5 wireless 911 fund.

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320; 2005 a. 25.

6 **SECTION 2870mz. 146.70 (3m) (j) of the statutes is amended to read:**

7 **146.70 (3m) (j) *Sunset.*** This subsection does not apply after the first day of the
8 ~~42nd month beginning after the effective date of the rules promulgated under par.~~
9 ~~(f) 1 April 1, 2011.~~ ✓

History: 1977 c. 392; 1979 c. 34, 361; 1981 c. 20 s. 2202 (1) (b); 1981 c. 383; 1983 a. 27; 1983 a. 53 s. 114; 1983 a. 189 s. 329 (31); 1985 a. 29, 120; 1985 a. 297 ss. 12, 76; 1985 a. 332; 1987 a. 27, 403; 1989 a. 31; 1991 a. 39, 267; 1993 a. 16, 388, 496; 1997 a. 218, 283; 1999 a. 185; 2001 a. 109; 2003 a. 48, 320; 2005 a. 25.

10

(END)



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0540/1
MDK:lmk:rs

LFB:.....Olin (FA) – Extending sunset of wireless 911 grant program

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 293, line 24: delete the material beginning with that line and ending
3 with page 294, line 4.

4 **2.** Page 1259, line 17: after that line insert:

5 **"SECTION 2870mb.** 146.70 (3m) (a) 5. of the statutes is renumbered 146.70 (3m)
6 (a) 3m. and amended to read:

7 146.70 (3m) (a) 3m. **"Reimbursement First reimbursement period"** means the
8 period beginning on September 3, 2003, and ending on the last day of the 3-year
9 period beginning on the first day of the 2nd month beginning after the effective date
10 of the rules promulgated under par. (f) 1.

1 **SECTION 2870md.** 146.70 (3m) (a) 5m. of the statutes is created to read:

2 146.70 **(3m)** (a) 5m. "Second reimbursement period" means the period
3 beginning on the first day after the last day of the first reimbursement period and
4 ending on November 30, 2010.

5 **SECTION 2870mf.** 146.70 (3m) (b) 1. of the statutes is amended to read:

6 146.70 **(3m)** (b) 1. Except as provided in subd. 2. and ~~par. pars. (cm) and~~ (d) 1e.,
7 a wireless provider may not receive a grant under par. (d) unless, no later than the
8 first day of the 3rd month beginning after the effective date of the rules promulgated
9 under par. (d) 4., the wireless provider applies to the commission with an estimate,
10 and supporting documentation, of the costs that it has incurred, or will incur, during
11 the first reimbursement period to upgrade, purchase, lease, program, install, test,
12 operate, or maintain all data, hardware, and software necessary to comply with the
13 federal wireless orders in this state. The estimate may not include, and a wireless
14 provider may not seek reimbursement for, any such costs that the wireless provider
15 recovers or has recovered from customers in this state during or before the first
16 reimbursement period for the implementation of wireless 911 emergency service in
17 this state.

18 **SECTION 2870mh.** 146.70 (3m) (c) 1. (intro.) of the statutes is amended to read:

19 146.70 **(3m)** (c) 1. (intro.) Except as provided in ~~par. pars. (cm) and~~ (d) 1e., a
20 local government that operates a wireless public safety answering point, or local
21 governments that jointly operate a wireless public safety answering point, may not
22 receive a grant under par. (d) unless the requirements under subds. 3. to 5. are
23 satisfied and, no later than the first day of the 3rd month beginning after the effective
24 date of the rules promulgated under par. (d) 4., every county that itself is one of the
25 local governments or in which any of the local governments is located applies to the

1 commission with an estimate, and supporting documentation, of the costs specified
2 in subd. 1r. and the costs that the local government or local governments have
3 directly and primarily incurred, or will directly and primarily incur, during the first
4 reimbursement period for leasing, purchasing, operating, or maintaining the
5 wireless public safety answering point, including costs for all of the following:

6 **SECTION 2870mj.** 146.70 (3m) (cm) of the statutes is created to read:

7 146.70 (**3m**) (cm) *Second reimbursement period.* 1. No later than June 30,
8 2008:

9 a. A wireless provider that has received grants under par. (d) for costs incurred
10 during the first reimbursement period may apply to the commission for grants under
11 par. (d) for reimbursement of costs incurred during the 2nd reimbursement period
12 that are otherwise identified in par. (b) 1., except for costs that the wireless provider
13 recovers or has recovered from customers in this state during or before the first or
14 2nd reimbursement period for implementation of wireless 911 emergency service in
15 this state.

16 b. A local government that has received grants under par. (d) for costs incurred
17 during the first reimbursement period may apply to the commission for grants under
18 par. (d) for reimbursement of costs directly and primarily incurred by the local
19 government during the 2nd reimbursement period that are otherwise identified in
20 par. (c) 1., except for costs specified in par. (c) 1m., and for reimbursement of costs
21 directly and primarily incurred by the local government that are specified in par. (c)
22 1r.

23 2. An application under subd. 1. shall include an estimate and supporting
24 documentation of the costs for which reimbursement is sought. If a local government
25 submitted a joint application under par. (c), the local government shall also submit

1 a joint application under subd. 1. that specifies the manner in which the estimated
2 costs are apportioned among the local government covered by the application.

3 **SECTION 2870mL.** 146.70 (3m) (d) 1. of the statutes is amended to read:

4 146.70 (3m) (d) 1. The commission shall approve an application under par. (b)
5 ~~or~~, (c), or (cm) if the commission determines that the costs estimated in the
6 application are reasonable and have been, or will be, incurred for the purpose of
7 promoting a cost-effective and efficient statewide system for responding to wireless
8 emergency 911 telephone calls and, for an application by a local government under
9 par. (c) or (cm), if the requirements under subd. 1g. are satisfied.

10 **SECTION 2870mn.** 146.70 (3m) (d) 1e. (intro.) of the statutes is amended to read:

11 146.70 (3m) (d) 1e. (intro.) If a wireless provider or local government submits
12 an application after the deadline specified in par. (b) 1. ~~or~~, (c) 1. (intro.), or (cm) 1.
13 (intro.), the commission shall reduce the costs approved under subd. 1. by the
14 following amounts:

15 **SECTION 2870mp.** 146.70 (3m) (d) 1g. of the statutes is amended to read:

16 146.70 (3m) (d) 1g. If an application under par. (c) or (cm) includes an estimate
17 of costs identified in par. (c) 1. d. incurred during the first or 2nd reimbursement
18 period or between January 1, 1999, and September 3, 2003, the commission may
19 approve the application only if the commission determines that the local
20 government's collection of land information, as defined in s. 16.967 (1) (b), and
21 development of a land information system, as defined in s. 16.967 (1) (c), that is
22 related to that purpose are consistent with the applicable county land records
23 modernization plans developed under s. 59.72 (3) (b), conform to the standards on
24 which such plans are based, and do not duplicate land information collection and
25 other efforts funded through the land information program under s. 16.967 (7). The

1 commission shall obtain the advice of the department of administration in making
2 determinations under this subdivision.

3 **SECTION 2870mr.** 146.70 (3m) (d) 2. of the statutes is amended to read:

4 146.70 (3m) (d) 2. From the appropriation under s. 20.155 (3) (q), the
5 commission shall make grants to reimburse wireless providers and local
6 governments for costs approved under subd. 1. that are actually incurred by the
7 wireless providers and local governments, except that no wireless provider or local
8 government may receive a total amount in grants that exceeds the estimated amount
9 approved by the commission under subd. 1. for that wireless provider or local
10 government. For applications for the joint operation of a wireless public safety
11 answering point, the commission shall apportion the grants in the manner specified
12 under par. (c) 2. or (cm) 2.

13 **SECTION 2870mt.** 146.70 (3m) (d) 4. of the statutes is amended to read:

14 146.70 (3m) (d) 4. The commission shall promulgate rules establishing
15 requirements and procedures for making grants under this paragraph, including
16 criteria for approving estimated costs under subd. 1. The rules shall require the
17 commission to make the grants ~~during the 3-year period beginning on the first day~~
18 ~~of the 3rd month beginning after the effective date of the rules promulgated under~~
19 ~~par. (f) 1~~ until December 31, 2010. The rules shall include record-keeping
20 requirements to ensure that the grants are used to reimburse estimated costs
21 approved by the commission. The rules shall allow the commission to make the
22 grants in installments. The rules shall also include requirements for wireless
23 providers specified in par. (b) 2. to apply for grants. The rules shall specify the
24 conditions under which a wireless provider or local government may revise an
25 application approved under subd. 1.

1 **SECTION 2870mv.** 146.70 (3m) (e) of the statutes is amended to read:

2 146.70 (3m) (e) *Supplemental grants.* The commission shall promulgate rules
3 for making supplemental grants from the appropriation under s. 20.155 (3) (q) to
4 counties that submit joint applications required under par. (c) 4. or (cm). The rules
5 shall establish the supplemental grants in amounts that provide an incentive for
6 counties to submit joint applications. The rules may not impose any limits on the use
7 of a supplemental grant and shall allow the commission to make the grants in
8 installments.

9 **SECTION 2870mx.** 146.70 (3m) (f) 1. of the statutes is amended to read:

10 146.70 (3m) (f) 1. The commission shall promulgate rules requiring each
11 wireless provider to impose the same monthly surcharge for each telephone number
12 of a customer that has a billable address in this state, except that the rules shall
13 adjust the amount of the surcharge that is imposed on customers who prepay for
14 service to ensure that such customers pay an amount that is comparable to the
15 monthly amount paid by other customers. The rules shall require the surcharge to
16 be imposed ~~during the 3-year period beginning on the first day of the 2nd month~~
17 ~~beginning after the effective date of the rules~~ until November 30, 2010. The amount
18 of the surcharge shall be sufficient for the commission to administer and make the
19 grants under par. (d) and the supplemental grants under par. (e). The rules shall
20 require wireless providers to pay the surcharge to the commission for deposit in the
21 wireless 911 fund.

22 **SECTION 2870mz.** 146.70 (3m) (j) of the statutes is amended to read:

(END)